

**REMARKS**

The above amendment with the following remarks is submitted to be fully responsive to the Office Action of March 2, 2005. Reconsideration of this application in light of the amendment and the allowance of this application are respectfully requested.

Claims 1-38 were pending in the present application prior to the above amendment. In response to the Office Action, claims 1, 4, 9, 11, 16, 17, and 21 have been amended above. Therefore, claims 1-38 are still pending in the present application and are believed to be in proper condition for allowance.

Initially, the Applicants acknowledge with appreciation, the Examiner's allowance of claims 22-38. In addition, the Applicants also acknowledge with appreciation, the Examiner's indication of allowable subject matter in claims 9, 10, 16, and 21, if rewritten in independent form to include all the limitations of the base claim, and any intervening claims. In response, dependent claims 9, 16, and 21 have been amended to be in independent form as suggested by the Examiner. Correspondingly, the allowance of claims 9, 10, 16, and 21 are respectfully requested, claim 10 being dependent on now independent claim 9.

Referring again to the Office Action, claim 1-8, 11-15, and 17-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent publication No. 2002/0194051 to Hall et al., in view of Office of Defects Investigation ([HTTP://www.odi.nhtsa.dot.gov/cars/problems/recalls](http://www.odi.nhtsa.dot.gov/cars/problems/recalls)) (hereinafter "NHTSA website"). The Applicants disagree for the reasons set forth hereinbelow.

The cited Hall et al. reference discloses a vehicle data distribution method and system for distributing particular vehicle data among automotive dealers. As admitted by the Examiner in the Office Action, Hall et al. fails to specifically disclose that data distributed by the system of Hall et al. includes a reliability issue record that indicates existence of a reliability issue for the particular vehicle. To cure the admitted deficiency of Hall et al., the Examiner cites the NHTSA website

which provides recall information for vehicles. In the Office Action, the Examiner asserts that it would be obvious to one of ordinary skill in the art to modify the method and system disclosed in Hall et al. to include recall information as provided by the NHTSA website.

Initially, it is noted that the Examiner does not establish or identify any teachings in Hall et al. or the NHTSA website to combine these references in the manner suggested by the Examiner. The Examiner is respectfully reminded that “to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. The teachings or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure.” MPEP §§ 2142 and 2143 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)) (see also MPEP § 706.02(j)).

In the above regard, the Examiner’s attention is directed to the fact that the NHTSA website does not provide any recall data on a particular vehicle, for example, as identified by a VIN. Instead, the NHTSA website only provides general recall information related to a make, model, and year of the vehicle. It is respectfully noted that the present application defines “particular vehicle” as one physical vehicle associated with a single VIN. The NHTSA website does not use search queries or accept requests that is directed to a particular vehicle to access recall information regarding the particular vehicle queried.

Thus, even if the cited Hall et al. and the NHTSA website are combined in the manner suggested by the Examiner, they fail to disclose a method and system in which recall information for a particular vehicle is provided. Instead, such a combination of the cited references would result in providing of general recall

information associated with the make, model, and year of the vehicle, but not the particular vehicle itself.

In addition, the cited references fail to suggest other recited limitation such as determining whether the database should contain reliability issue information, and if the database should include reliability issue information, displaying an electronically displayable file related to the absence of a reliability issue for the particular vehicle, these limitations being specifically recited in independent claims 1, 11, and 17. Correspondingly, because the cited combination of references still fails to disclose the present invention as claimed, the withdrawal of this rejection of independent claims 1, 11, and 17 are respectfully requested.

Furthermore, in contrast to the Examiner's assertion, the combination of the cited references also fails to disclose, teach, or otherwise suggest other limitations recited in the various rejected dependent claims. For example, the cite combination of Hall et al. and NHTSA website fails to suggest determining whether a manufacturer of the vehicle provides data for inclusion in the database as specifically recited in dependent claims 2, 12, and 18, or accessing a look-up table listing vehicle manufacturers as specifically recited in dependent claims 3, 13, and 19. Furthermore, the cited combination of references fail to disclose, teach, or otherwise suggest, a "no open recall file" which indicates that no recalls are open for repair as specifically recited in claim 4. Correspondingly, the Applicants further request the withdrawal of this rejection with respect to the dependent claims.

To the extent that the above rejections are maintained, the Applicants respectfully request the Examiner to identify specific teachings in the cited references that disclose each of the limitations as recited in the claims.

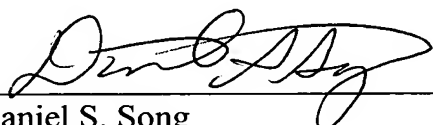
However, to more clearly define the present invention, and to expedite the prosecution thereof, independent claims 1, 11 and 17 have been amended above to specifically recite receiving of a user request for information that relate to particular vehicle. In addition, these independent claims have been further amended to

specifically recite that the database has records of vehicles manufactured by a plurality of manufacturers. Clearly, the cited references of record do not disclose, teach, or otherwise suggest the claimed invention.

Correspondingly, the withdrawal of this rejection and the allowance of independent claims 1, 11, and 17 are respectfully requested. In addition, the withdrawal of this rejection and the allowance of dependent claims 2-8, 12-15, and 18-20 are also requested, these dependent claims being ultimately dependent upon one of the above amended independent claims.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if the Examiner deems that any issue remains after considering this response, he is invited to call the undersigned to expedite the prosecution and work out any such issue by telephone.

Respectfully submitted,

  
Daniel S. Song  
Registration No. 43,143

NIXON PEABODY LLP  
401 9th Street, N.W., Suite 900  
Washington, D.C. 20004-2128  
(202) 585-8000  
(202) 585-8080 (Fax)  
Customer No. 22204

Date: June 2, 2005